

Amendment and Response Under 37 C.F.R. 1.116

Applicant: Adam Grablick

Serial No.: 10/662,769

Filed: September 15, 2003

Docket No.: G180.148.101 / 6226US

Title: CONSUMER PRODUCT DISPLAY

**RECEIVED
CENTRAL FAX CENTER****SEP 13 2006****REMARKS**

This is responsive to the Final Office Action mailed June 21, 2006. In that Office Action, the Examiner rejected claims 1-13 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 1-11 and 14-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Koster, European Patent No. 0 560 374 A2 ("Koster") in view of Hendricks et al., U.S. Patent No. 3,389,784 ("Hendricks"). Claims 12 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Koster in view of Hendricks as applied to the claims above, and further in view of Larson, U.S. Patent No. 3,458,037 ("Larson"). The Examiner's indication that claim 37 has been allowed is noted with appreciation.

With this Response, claims 1 and 13 have been cancelled, claims 2-6, 11, 12, and 14-26 amended, and newly presented claims 38-42 added. Claims 2-12, 14-26 and 37-42 are presented herewith for consideration and allowance.

Summary of Examiner Interview

On or about the week of Monday, August 21, 2006, a telephonic interview with Examiner Fidei was requested by Applicant's representative. During ensuing telephone interviews on or about Wednesday, August 30, 2006 and Friday, September 1, 2006, the pending independent claims were discussed, including amendments to the rejected claims which would expeditiously place the instant application in a form for allowance. In particular, the Examiner's reasons for allowing claim 37 were discussed along with various associated, potential amendments. Additionally, it was indicated that the subject matter of previously restricted claims 27-36 would be examined if presented in an acceptable form to the Examiner, including the incorporation of limitations generally relating to subject matter deemed allowable in claim 37.

35 U.S.C. §§ 112, Second Paragraph, Rejections

Amendment and Response Under 37 C.F.R. 1.116

Applicant: Adam Grablick

Serial No.: 10/662,769

Filed: September 15, 2003

Docket No.: G180.148.101 / 6226US

Title: CONSUMER PRODUCT DISPLAY

Claims 1-13 stand rejected as indefinite under 35 U.S.C. § 112, and in particular, with respect to claim 1 reciting a non-adhesive layer as formed of a material including at least one of sheet paper and sheet plastic. Claim 1 has been cancelled, with claim 38 generally including limitations relating to cancelled claim 1, but excluding the above-identified "at least one of" language, thereby obviating the § 112 rejection. Withdrawal of the rejection is respectfully requested.

35 U.S.C. § 103 Rejections

Claims 1-11 and 14-26 stand rejected as unpatentable over Koster in view of Hendricks and claim 12 stands rejected as unpatentable over Koster in view of Hendricks and further in view of Larson.

Claims 2-12, 14-26 and 37-42 have been amended to include limitations which are believed consonant with the Examiner's reasons for allowing claim 37 stated in the Final Office Action. For the Examiner's reference, claims 39-42 substantially relate to method claims previously restricted. In accordance with the telephonic interview summarized above, it is believed that those claims have been amended to incorporate limitations consonant with the Examiner's reasons for allowing claim 37. As such, it is respectfully requested that the amendments and newly presented claims substantially relating to the subject matter of claims 27-31 (previously restricted from examination) be entered, that the rejections be withdrawn for at least the reasons previously stated in the Examiner's reasons for allowance, that claims 2-12, 14-26 and 38-42 be deemed allowable, and that notice to the effect that claims 2-12, 14-26 and 37-42 are allowed be provided.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 2-12, 14-26 and 37-42 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 2-12, 14-26 and 37-42 are respectfully requested.

Amendment and Response Under 37 C.F.R. 1.116

Applicant: Adam Grablick

Serial No.: 10/662,769

Filed: September 15, 2003

Docket No.: G180.148.101 / 6226US

Title: CONSUMER PRODUCT DISPLAY

Applicants hereby authorize the Commissioner for Patents to charge Deposit Account No. 50-0471 in the amount of \$200.00 (to cover the fee as set forth under 37 C.F.R. 1.16(h)) and any additional amount required under 37 C.F.R. 1.116, though it is believed that no additional fees are required.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either John A. O'Toole at Telephone No. (763) 764-2422, Facsimile No. (763) 764-2268 or Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

GENERAL MILLS, INC.
P.O. Box 1113
Minneapolis, MN 55440

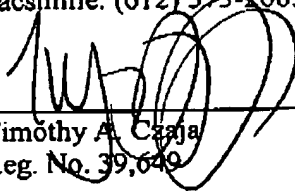
Respectfully submitted,

Adam Grablick,

By his attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2004
Facsimile: (612) 573-2005

Date: SEPTEMBER 13, 2006
TAC:jmc


Timothy A. Czaja
Reg. No. 39,649

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via facsimile to Facsimile No. (571) 273-8300 on this 13th day of September, 2006.

By: 

Name: Timothy A. Czaja